



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG/NS/MCM
F. #2020R00275

*271 Cadman Plaza East
Brooklyn, New York 11201*

October 8, 2020

BY HAND DELIVERY

Clerk of the Court
(for forwarding to randomly assigned United States District Judge)
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

The Honorable Ann M. Donnelly
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Filed October 08, 2020

Re: United States v. Donnell Russell
Criminal Docket No. 20-cr-00427

**1:20-cr-00427
Judge Roslynn R. Mauskopf**

Dear Clerk of Court and Judge Donnelly:

Pursuant to Local Rule 50.3.2, the government hereby notifies the Court that the above-captioned case ("Russell") is presumptively related to United States v. Robert Sylvester Kelly, No. 19-286 (AMD) ("Kelly").

Local Rule 50.3.2(b)(1) provides for a "presumption that one case is 'related' to another when the facts of each arise out of the same charged criminal scheme(s), transaction(s), or event(s), even if different defendants are involved in each case." Local Rule 50.3.2(c)(1) directs the United States Attorney's Office to "give notice to all relevant judges whenever it appears that one case may be presumptively related to another pursuant to Section (b)(1)."

This letter constitutes the notice directed by Local Rule 50.3.2(c)(1). This case is presumptively related to Kelly because the facts of Russell's case arise out of the same criminal events as charged in Kelly. Specifically, in Russell, Russell is charged with interstate stalking of a witness in Kelly (including after the individual was disclosed as a victim-witness in Kelly).

While Kelly is not currently charged with interstate stalking of the witness, the government expects that, at Kelly's trial, the government will present evidence regarding Kelly's knowledge of and involvement in Russell's conduct underlying the interstate stalking charge as evidence regarding the racketeering enterprise charged in Kelly. As the case is thus presumptively related, the government respectfully submits that reassignment would be appropriate, as it would likely result in a significant savings of judicial resources and serve the interests of justice.

Respectfully submitted,

SETH D. DUCHARME
Acting United States Attorney

By: /s/ Nadia Shihata
Elizabeth Geddes
Nadia Shihata
Maria Cruz Melendez
Assistant United States Attorneys
(718) 254-6408

cc: Douglas Morris, Esq. (via Email and ECF)